IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 30TH MAY 2007 / 9TH JYAISHTA 1929

Bail Appl..No. 3147 of 2007

CRMP.1677/2007 of I ADDL. DISTRICT COURT, KOLLAM
CRIME NO.172/2007 OF ANCHALUMMOOD POLICE STATION

.....

PETITIONER/3RD ACCUSED

SIVASANKARAN @ SANKARAN,
AGED 42 YEARS, S/O.BALAKRISHNA PILLAI,
CHEPLAMAZHIKATHU HOUSE, KIZHAKKATHIL, CHITTAYAM,
INCHAVILA P.O., PERINAD, KOLLAM.

BY ADV. SRI.BIMAL K.NATH
SRI.S.JAMAL
SRI.E.M.SUNIL KUMAR

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REP.BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 3147/2007

Dated this the 30th day of May, 2007

O R D E R

Petitioner who is the third accused in Crime No.172/2007 of Anchalummood Police Station for offences punishable under Sections 326, 341 and 109 IPC read with section 34 I.P.C., seeks anticipatory bail. The occurrence took place on 18.4.2007.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer for the purpose of interrogation and then to have his application for bail considered by the Magistrate having jurisdiction. Accordingly, the petitioner shall surrender before the investigating officer on any day between 6-6-2007 and 8-6-2007 for the purpose of interrogation and recovery of incriminating material, if any. The petitioner shall thereafter be produced on the same day before the Magistrate who shall consider his application for regular bail preferably on the same date on which such application is filed.

This petition is disposed of as above.

V.RAMKUMAR, JUDGE

mrcs